

C O P Y

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UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

Address Reply to the
Division Indicated
and Refer to Initials and Number
TEK:LB:CRE
60-235-38

November 15, 1974

BY HAND

Karl E. Bakke, Esquire
General Counsel
U.S. Department of Commerce
Room 5870 (Main)
Between 14th & 15th Street, N.W.
Washington, D. C. 20230

Re: United States v. International Business
Machines Corporation, 69 Civ. 200 S.D.N.Y.

Dear Mr. Bakke:

STATINTL

This will confirm my telephone conversation with Mr. Weintraub of your staff this morning wherein I discussed the permission given to us by the Central Intelligence Agency to handle directly documents classified by them. Pursuant to that understanding between [redacted] of the General Counsel's office of CIA and Mr. Esherick, documents may be delivered to the Department of Justice and held by that agency until cleared by CIA for production to IBM pursuant to various Pretrial Orders entered by the Court. In line with your understanding Mr. Weintraub agreed to deliver to Mr. Esherick those CIA documents that have not been produced to date to IBM as well as those documents of other agencies. For your information those documents which require clearance by other agencies prior to delivery by IBM will be processed in the same manner as the CIA documents.

STATINTL

Your continued cooperation in early production of these and other documents to IBM will be very much appreciated.

Sincerely yours,

THOMAS E. KAUPER
Assistant Attorney General
Antitrust Division

DOJ review(s)
completed.

By: *Charles R. Esherick*
Charles R. Esherick
Attorney, Department of Justice

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